

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, August 13, 2013

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session with Commissioners Campbell, Gross, Ingersoll and Weyland present. Commissioner Evert was absent. County Administrator Brian C. Berg, Assistant County Attorney Jenny Samarzja and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Weyland, seconded by Campbell, and unanimously carried, the agenda was approved as presented.

APPROVAL TO WRITE OFF UNPAID 2012 ACCOUNTS RECEIVABLE IN
JUVENILE DETENTION

By consent agenda, the Board approved writing off \$7961.39 in 2012 uncollectible bills in the Juvenile Detention Program (\$6319.45 in the Secure Program, and \$1641.94 in the Non-Secure Program).

APPROVAL OF ADDENDUM #1 TO CASS & CLAY LAW ENFORCEMENT
MUTUAL AID AGREEMENT

By consent agenda, the Board authorized execution of Addendum #1 (Special Weapons and Tactics - SWAT) to the Cass and Clay County Law Enforcement Mutual Aid Agreement for clarification purposes concerning the joint SWAT, Bomb Squad and Negotiations Team.

ACCEPT \$50 DONATION FROM SCANDIA LUTHERAN CHURCH TO
CLAY COUNTY WORK DETAIL

By consent agenda, the Board accepted a \$50 donation from Scandia Lutheran church to the Clay County Work Detail.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Weyland, seconded by Gross, and unanimously carried, the bills and vouchers were approved for payment.

AGREEMENT WITH ISANTI COUNTY FOR PURCHASE OF CASEWORKS HOST SUPPORT

Social Services Director Rhonda Porter and Technology Services Director Tim Dent were present to request execution of an agreement to allow Clay County to provide host support for Isanti County for the Electronic Document Management System (EDMS). Becker County, OtterTail County and Clay County collaborated last year to implement the EDMS.

Isanti County will pay an upfront \$10,000 set-up fee, as well as \$7500 annually for Clay County's EDMS Support services. Each County also pays the various license fees required by vendors, individual client hardware, infrastructure improvements, etc.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board authorized execution of the Agreement for Clay County to provide EDMS host support for Isanti County.

PERSONNEL POLICY CHANGE – TERMINATION GUIDELINES

Human Resources Director Darren Brooke informed the Board that the Personnel Issues Committee has recommended a change to Section 23, B-C of the Personnel Policy to remove language requiring a terminating/retiring employee to work on the last day of their employment. This requirement usually does not produce a productive day of work; a replacement worker may have already been hired and using the former employee's office space; and/or if the employee has received another job elsewhere, it may be difficult for them to come back to work their last day. Mr. Brooke added that the terminating/retiring employee would have two choices for payout of vacation: to be paid out their vacation balance on the payroll following their last day of actual work; or extend their termination date to include any vacation the employee wants to take after their last day of actual work.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved the recommended change to Personnel Policy Section 23 – Termination of Employment, as described above, effective August 15, 2013, as recommended by the Personnel Issues Committee.

REVIEW ELECTED OFFICIALS ENROLLMENT IN HEALTH CARE SAVINGS PLAN

Human Resources Director Darren Brooke informed the Board that due to legislative changes, the four elected officials (Attorney, Auditor-Treasurer, Recorder, Sheriff) are requesting to form a group to participate in the MN State Retirement System (MSRS) Health Care Savings Plan (HCSP).

The 2008 Legislature modified the statute governing the HCSP to clarify which public employees in Minnesota could participate in the Plan, including elected officials who are covered by the following pension plans: MSRS, PERA, TRA. The clarification did not include a clarification of compensation for an elected official, only who could participate in the HCSP.

Minnesota Statutes 43A.17, subd. 10 states that a compensation plan for an elected official may not include a provision for vacation or sick leave.

While elected officials can participate in the Plan, HCSP agreements for elected officials cannot include contributions as a result of paid time off due to M.S. 43A.17, subd. 10. Acceptable contributions include a specified mandatory employee contribution (dollar amount or percentage of pay) or an employer contribution at specified intervals not tied to termination of public service.

Mr. Brooke requested the Board's review of the elected officials' request to participate in the HCSP and for the County to provide a one-time lump sum payment and yearly County contribution of \$500/year/elected official as discussed by the Personnel Issues Committee. The elected official's annual contribution would be a minimum of \$500. The lump sum payment for the four elected officials totals \$27,711 based on years of service or 15% of salary. County Auditor-Treasurer Lori Johnson stated that the lump sum

payment would bring the elected officials to the level of severance where they thought they were.

Mr. Brooke also requested discussion as to whether or not the Commissioners wish to form their own group with their own criteria, join the aforementioned elected officials group, or not participate in the HCSP.

Commissioner Campbell commented that he would not vote for Commissioners enrollment in HCSP, however some of the elected officials have been under the impression since their election that they would be getting a sick leave severance. He did not think it would be fair to take away what they thought they had coming.

Commissioner Gross inquired as to why the Legislature chose to make this change in 2008, and if by the requested action, is the County circumventing the intent of the Legislature. Mr. Brooke indicated he would research the question.

Discussion on this topic will continue at a later date when all Commissioners are present.

2014 BUDGET UPDATE

County Administrator Brian Berg highlighted recent Budget discussions with department heads.

A handout was distributed outlining the repercussions of not funding Extension's request for .5 FTE. Commissioner Campbell recalled that the previous .5 position was funded with other than County dollars, which have expired. He did not think the County has the ability to fund everything which goes unfunded by others. Commissioner Weyland agreed, and felt funding priorities have to be established.

County Auditor-Treasurer Lori Johnson informed the Board that the amount the County can levy will be released by the Department of Revenue on September 1st.

Commissioner Campbell noted that the revenues over expenses for the remainder of the year will be an important piece of the 2014 budget consideration, as fund balances have improved over the last three years.

A \$9000 increase is requested by Lakes & Prairies Community Action Partnership to maintain the level of service currently provided by the Senior Coordinator. Discussion took place regarding the fact that if the Senior Coordinator position is not fully funded, seniors may make decisions which will place more demands on Social Services and cost the County more.

The Soil & Water Conservation District has reduced their request from 4% to 3% (approximately \$2000).

The increase for employee health insurance rates will be announced by Lakes Country Service Cooperative on August 13, and is estimated to be between 5-15%.

The County Program Aid will be \$2,891,447 (an increase in proposed revenue of \$27,000). The Minnesota County Intergovernmental Trust dividend for 2013 is \$328,615 (an increase of \$178,615 over what was budgeted). A decrease in expenses of \$50,000 for the FM Diversion Flood Study was noted (to \$95,000).

Commissioner Campbell commented that with respect to the Highway Department's budget, the new Wheelage Tax revenue should only be used for improvement of roads that would otherwise not have been accomplished.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Gross attended meetings of the Soil & Water Conservation District and Goose Prairie Township meeting.

Commissioner Campbell attended several F-M Flood Diversion meetings.

Commissioner Ingersoll attended the Moorhead Planning Commission meeting.

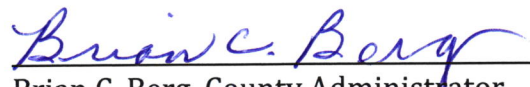
County Administrator Brian Berg reported on several meetings: FM Diversion, Chamber of Commerce Public Affairs, Motor Vehicle Remodeling, Solid Waste Technical Committee, County Administrator's, and 2014 budget reviews.

ADJOURN

The meeting adjourned at 9:40 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator